

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PERISTALTIC MIXING AND OXYGENATION SYSTEM**

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_ is attached hereto.

X was filed on November 18, 2003 as Application Serial No. 10/717,409 and amended on (if applicable).

\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

| NUMBER | COUNTRY | FILING DATE | PRIORITY CLAIMED |    |
|--------|---------|-------------|------------------|----|
|        |         |             | YES              | NO |
|        |         |             |                  |    |
|        |         |             |                  |    |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NUMBER | FILING DATE | STATUS |
|--------------------|-------------|--------|
|                    |             |        |
|                    |             |        |
|                    |             |        |
|                    |             |        |

PCT Applications designating the United States:

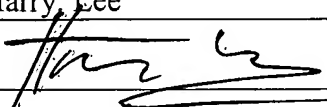
| PCT APPLICATION NUMBER | FILING DATE | STATUS |
|------------------------|-------------|--------|
|                        |             |        |
|                        |             |        |
|                        |             |        |
|                        |             |        |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

| APPLICATION NUMBER | FILING DATE | STATUS |
|--------------------|-------------|--------|
|                    |             |        |
|                    |             |        |
|                    |             |        |
|                    |             |        |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

|                       |                                                                                          |                    |
|-----------------------|------------------------------------------------------------------------------------------|--------------------|
| Full name of inventor | <u>Harry, Lee</u>                                                                        |                    |
| Inventor's Signature  | <u></u> | Date <u>4/2/04</u> |
| Residence             | <u>26 Hemenway Street, Apt. 32 Boston, MA 02115</u>                                      |                    |
| Citizenship           | <u>U.S.A.</u>                                                                            |                    |
| Post Office Address   | <u>Same as above</u>                                                                     |                    |



**ATTORNEY'S DOCKET NUMBER: 0492611-0526 (MIT 10181)**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Harry Lee  
Serial Number: 10/717,409  
Filed: November 18, 2003  
Title: "Peristaltic Mixing and Oxygenation System"

Examiner:  
Art Unit:

MAIL STOP: MISSING PARTS  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**WRITTEN ASSERTION OF SMALL ENTITY STATUS**  
**UNDER 37 CFR §1.27(a)(3)**  
**NON-PROFIT ORGANIZATION**

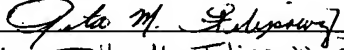
The undersigned hereby asserts entitlement to small entity status as a non-profit organization under 37 CFR §1.27(a)(3) on behalf of Massachusetts Institute of Technology.

This assertion is made on the ground that Massachusetts Institute of Technology.  
is either:

- (a) ☒ a university or other institution of higher education located in any country;
- (b) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC §501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 USC §501(a));
- (c) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 USC §201(i)); or
- (d) any nonprofit organization, located in a foreign country, that would qualify as a nonprofit organization under paragraphs (b) or (c) above if it were located in this country,

and *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

Respectfully Submitted,

  
Print Name: Rita M. Filipowicz  
Title: Patent Administrator  
On behalf of Massachusetts Institute of Technology.  
Dated: 3/26/04